

REMARKS

In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. §§ 121 and 372:

Group I, claims 1-11, drawn to an apparatus having one or more functions on which use limitations can be imposed.

Group II, claims 12-26, drawn to a method for controlling a use of one or more functions of an apparatus.

Group III, claims 27-29, drawn to a server with a key generating means along with an electronic apparatus.

Applicants confirm the election, without traverse, of the claims 1 through 11 of the Group I invention. Claims 12-29 are canceled herein and applicants reserve the right to file one or more divisional applications corresponding to the non-elected claims.

The claims are amended herein to correct the language to which the examiner has made objections and rejections of the claims, and to obviate the corresponding objections to the specification. For example, language such as "storage means for storing" has been amended to "storage operable to store," and "function executing unit" has been amended to "a processor". Support for the present amendments is found throughout the specification and drawings, and more particularly in Fig. 2 and ¶¶[0052]-[0061]. No new matter is incorporated by way of the present amendments. Accordingly, applicants respectfully submit that the rejections of the claims under 35 U.S.C. § 112 and the corresponding objections to the claims and specification are now overcome.

With the present amendments, which explicitly recite a processor in each independent claim, applicants respectfully submit that the rejections over 35 U.S.C. § 101 are also overcome.

In the Office Action, claims 1-2 and 4 were rejected under 35 U.S.C. § 102 as assertedly anticipated by U.S. Patent 7,212,980 to Nakamura et al. ("Nakamura"), claim 3 was rejected under 35 U.S.C. § 103 as assertedly obvious over Nakamura, claims 5 and 7 through 10 were rejected under 35 U.S.C. § 103 as assertedly obvious over Nakamura in view of U.S. Patent 6,223,166 to Kay ("Kay"); claim 6 was rejected under 35 U.S.C. § 103 as assertedly obvious over Nakamura in view of U.S. Patent 6,542,870 to Matsumoto ("Matsumoto") and claim 11 was rejected under 35 U.S.C. § 103 as assertedly obvious over Nakamura in view of Kay and further in view of Matsumoto. For the reasons set forth below, applicants respectfully submit that the presently pending claims are fully distinguished from the cited references. Reconsideration and allowance of the application as amended herein are respectfully requested.

All of the rejections are moot in view of the present amendments to the claims. As amended herein, claim 1 now recites an electronic apparatus which includes an infrared light receiving unit operable to receive use-permitting key information, wherein contents of use information is derived from the use-permitting key information. The contents of use information is stored in storage of the electronic apparatus and a representation of the contents of use information is referenced by a processor of the electronic apparatus to determine limitations which apply to the processor's execution of the one or more functions.

The combination of cited references fails to teach or suggest the invention is claimed in claim 1. Nakamura is not cited as teaching an infrared light receiving unit capable of receiving use-permitting key information. The passage of Matsumoto at col.7 11.51-55, which was cited in combination with Nakamura to reject formerly pending claim 6, does not teach an infrared light receiving unit having this capability. Rather,

such passage of *Matsumoto* merely describes conventional use of a "remote commander" 91 in transmitting signals to directly operate a recording/playback apparatus 10. There is no reason to believe that the remote commander in *Matsumoto* transmits use-permitting key information, or that the recording/playback apparatus is capable of receiving use-permitting key information, from which contents of use limitations could then be derived and stored.

None of the other references of record are cited in the Office Action as teaching reception of use-permitting key information through an infrared light receiving unit. In addition, new claim 30 recites a system which includes a mobile terminal and an electronic device. The mobile terminal is operable to acquire use-permitting key information from a source of use permission, and an infrared light receiving unit of the electronic device is operable to receive the use-permitting key information transmitted by infrared communication from the mobile terminal.

The remaining claims, all of which depend directly or indirectly from claim 1, overcome the rejections for at least the same reasons discussed above with respect to claim 1.

Support for the amendments herein is provided, *inter alia*, by the language of the original claims, Fig. 7 and the accompanying description at ¶¶[0088]-[0093] of the specification.

As it is believed that all of the rejections set forth in the Office Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: March 17, 2009

Respectfully submitted,

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